

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re FTCA Flint Water Cases

Civil Case No. 4:17-cv-11218
(Consolidated)

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This Order Relates to:

Honorable Linda V. Parker
United States District Judge

Anderson, et al. v. United States

**OPINION AND ORDER GRANTING MOTION FOR SUBSTITUTION OF
PARTY UNDER FEDERAL RULE OF CIVIL PROCEDURE 25(d)**

On June 28, 2021, Proposed Plaintiff, Kathleen Seniff, as Personal Representative of the Estate of Leo George Seniff, Jr., filed a motion to substitute as a plaintiff for Leo George Seniff, Jr., due to his death on November 4, 2019.

Pursuant to Federal Rule of Civil Procedure 25(a)(3), a Notice of Party Death was filed in this action on June 14, 2021. (ECF No. 154.) The Genesee County Probate Court appointed Kathleen Seniff, the wife of Mr. Seniff, as personal representative of his estate on April 9, 2021. (ECF No. 160-5.) Proposed Plaintiff then filed the pending motion. In the motion, Proposed Plaintiff asserts that Mr. Seniff’s “claim(s) . . . regarding property damage, or economic loss incurred by him due to exposure to contaminated water received from the Flint Water Treatment Plant or legal liability for the payment of bills for such water

between April 25, 2015 and today, survive his death.” (ECF No. 160 at Pg ID 3445, ¶ 9.)

The Government does not object to Proposed Plaintiff’s substitution. (ECF No. 163.) The Government requests, however, that Proposed Plaintiff amend the allegations for Mr. Seniff’s Federal Tort Claims Act claim in the operative complaint in *Anderson v. United States*. (*Id.*) As the substitution does not change the claims previously asserted by Mr. Seniff but merely the name in which they are brought, the Court does not find a need to require a further amendment of the current pleading.

Accordingly,

IT IS ORDERED that the Motion for Substitution of Party under Federal Rule of Civil Procedure 25(d) (ECF No. 160) is **GRANTED**;

IT IS FURTHER ORDERED that Kathleen Seniff, as the Personal Representative of the Estate of Leo George Seniff, Jr., is substituted for Leo George Seniff, Jr.

IT IS SO ORDERED.

s/ Linda V. Parker

LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: December 9, 2021